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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

10 RANDY JOHNSON,) Case No. 2:14-cv-01326-JCM-NJK
11 Plaintiff(s),) ORDER
12 vs.) (Docket No. 43)
13 JAMES COX, et al.,)
14 Defendant(s).)

Pending before the Court is Plaintiff's third motion for appointment of counsel. Docket No. 43. Defendants filed a response in opposition. Docket No. 48. No reply has been filed. The Court finds this motion properly decided without oral argument. *See* Local Rule 78-2. For the reasons discussed below, the motion is hereby **DENIED**.

United States District Judge James C. Mahan previously denied Plaintiff's motions for appointment of counsel in this case. Docket No. 7 at 11 (denying motions at Docket Nos. 2, 6). As such, Plaintiff's motion is more properly framed as one seeking reconsideration. Motions for reconsideration are disfavored. *E.g., Kabo Tools Co. v. Porauto Indus. Co.*, 2013 WL 5947138, *2 (D. Nev. Oct. 31, 2013) (citing *Japan Cash Mach. Co. v. Mei, Inc.*, 2008 U.S. Dist. Lexis 98778, *7 (D. Nev. Nov. 20, 2008)). "Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence; (2) committed clear error or the initial decision was manifestly unjust; or (3) if

1 there is an intervening change in controlling law." *Kabo Tools*, 2013 WL 5947138, at *2 (quoting
2 *Frasure v. United States*, 256 F. Supp. 2d 1180, 1183 (D. Nev. 2004)).

3 In this instance, Plaintiff argues that this is a complex case in which Plaintiff is not able to
4 adequately present his claims. *See* Docket No. 43 at 2. These are the same considerations that were
5 already presented to Judge Mahan,¹ and he rejected them. *See* Docket No. 7 at 11. Accordingly, it
6 appears that the issues raised have already been resolved and Plaintiff provides no reason to reconsider
7 the previous ruling.

8 The motion for reconsideration is therefore **DENIED**.

9 IT IS SO ORDERED.

10 DATED: January 27, 2016

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13 NANCY J. KOPPE
14 UNITED STATES MAGISTRATE JUDGE

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26 ¹ Indeed, it appears that the pending motion is identical to the motion previously filed, other than
the date. *Compare* Docket No. 43 with Docket No. 2.